

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF DELAWARE

In re: ) Chapter 11  
)  
W. R. GRACE & CO., et al.,<sup>1</sup> ) Case No. 01-01139 (JKF)  
) (Jointly Administered)  
Debtors. )  
) Re: Docket Nos. 9008, 8640, 9002 and 9070 and  
) 8/29/05 Agenda Items Nos. 12,13,14 and 15

**CERTIFICATION OF COUNSEL REGARDING CERTAIN MATTERS WITH  
SPEIGHTS & RUNYAN, INCLUDING DISCOVERY**

1. On August 29, 2005, the following motions were scheduled for hearing before the Court: (1) Motion of the Debtors for Limited Waiver of Del.Bankr.L.R. 3007-1 to Permit Filing of the 13<sup>th</sup> Omnibus Objection (the "Motion for Waiver"); (2) Debtors' Twelfth Omnibus Objection to Certain Claims Filed by the Law Firm of Speights & Runyan (the "12<sup>th</sup> Omnibus Objection"); (3) Motion of Speights & Runyan to Quash Subpoena (the "Motion to

---

<sup>1</sup> The Debtors consist of the following 62 entities: W. R. Grace & Co. (f/k/a Grace Specialty Chemicals, Inc.), W. R. Grace & Co. Conn., A-1 Bit & Tool Co., Inc., Alewife Boston Ltd., Alewife Land Corporation, Amicon, Inc., CB Biomedical, Inc. (f/k/a Circe Biomedical, Inc.), CCHP, Inc., Coalgrace, Inc., Coalgrace II, Inc., Creative Food 'N Fun Company, Darex Puerto Rico, Inc., Del Taco Restaurants, Inc., Dewey and Almy, LLC (f/k/a Dewey and Almy Company), Ecarg, Inc., Five Alewife Boston Ltd., GC Limited Partners I, Inc., (f/k/a Grace Cocoa Limited Partners I, Inc.), GC Management, Inc. (f/k/a Grace Cocoa Management, Inc.), GEC Management Corporation, GN Holdings, Inc. GPC Thomasville Corp., Gloucester New Communities Company, Inc., Grace A-B Inc., Grace A-B II Inc., Grace Chemical Company of Cuba, Grace Culinary Systems, Inc., Grace Drilling Company, Grace Energy Corporation, Grace Environmental, Inc., Grace Europe, Inc., Grace H-G Inc., Grace H-G II Inc., Grace Hotel Services Corporation, Grace International Holdings, Inc. (f/k/a Dearborn International Holdings, Inc.), Grace Offshore Company, Grace PAR Corporation, Grace Petroleum Libya Incorporated, Grace Tarpon Investors, Inc., Grace Ventures Corp., Grace Washington, Inc., W. R. Grace Capital Corporation, W. R. Grace Land Corporation, Gracoal, Inc., Gracoal II, Inc., Guanica-Caribe Land Development Corporation, Hanover Square Corporation, Homco International, Inc., Kootenai Development Company, L B Realty, Inc., Litigation Management, Inc. (f/k/a GHSC Holding, Inc., Grace JVH, Inc., Asbestos Management, Inc.), Monolith Enterprises, Incorporated, Monroe Street, Inc., MRA Holdings Corp. (f/k/a Nestor-BNA Holdings Corporation), MRA Intermedco, Inc. (F/k/a Nestor-BNA, Inc.), MRA Staffing Systems, Inc. (f/k/a British Nursing Association, Inc.), Remedium Group, Inc. (f/k/a Environmental Liability Management, Inc., E&C Liquidating Corp., Emerson & Cuming, Inc.), Southern Oil, Resin & Fiberglass, Inc., Water Street Corporation, Axial Basin Ranch Company, CC Partners (f/k/a Cross Country Staffing), Hayden-Gulch West Coal Company, H-G Coal Company.

Quash”) and (4) Supplemental Motion of Speights & Runyan to Quash Subpoena (the “Supplemental Motion to Quash”) (collectively, the “Speights & Runyan Related Motions”). At the August 29, 2005 hearing (the “August 29 Hearing”), the Court granted the Motion for Waiver and made other rulings regarding certain discovery with respect to Speights & Runyan. The Court also indicated that the 12<sup>th</sup> Omnibus Objection, the Motion to Quash and the Supplemental Motion to Quash shall be continued for further hearing as may be necessary at the omnibus hearing on September 26, 2005.

2. At the direction of the Court, counsel for the Debtors and Speights & Runyan have negotiated a proposed order regarding the Court’s rulings at the August 29 Hearing with respect to the Speights & Runyan Related Motions. Attached hereto as Exhibit A and incorporated herein by reference is the proposed form of order that counsel for the Debtors and Speights & Runyan have both agreed to (the “Proposed Order”).

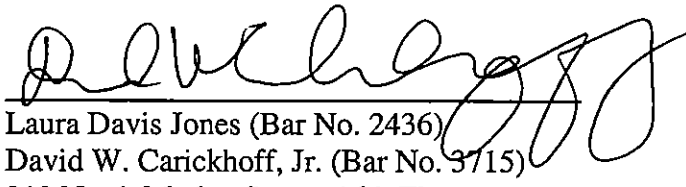
3. Accordingly, the Debtors respectfully request that the Court enter the attached Proposed Order at its earliest convenience.

Dated: September 9, 2005

KIRKLAND & ELLIS LLP  
David M. Bernick, P.C.  
Janet S. Baer  
Lori Sinanyan  
200 East Randolph Drive  
Chicago, Illinois 60601  
Telephone: (312) 861-2000  
Facsimile: (312) 861-2200

and

PACHULSKI, STANG, ZIEHL, YOUNG, JONES &  
WEINTRAUB P.C.



Laura Davis Jones (Bar No. 2436)  
David W. Carickhoff, Jr. (Bar No. 3715)  
919 North Market Street, 16th Floor  
P.O. Box 8705  
Wilmington, DE 19899-8705 (Courier 19801)  
Telephone: (302) 652-4100  
Facsimile: (302) 652-4400

Co-Counsel for Debtors and Debtors in Possession